APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/070,831	04/30/1998	ASIT DAN	YO998-137	4859

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EXAMINER
BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 05/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	**Applicant(s)**
Office Action Summary	09/070,831	DAN ET AL.
	Examiner	**Art Unit**
	Brown M. Reuben	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _1-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☐ Claim(s) _1-22_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2.   Claims 1-6, 9-17, 19/1-19/6, 19/9-19/17 & 20-22 are rejected under 35 U.S.C. 102(e) as

being anticipated by Escobar, (U.S. Pat # 5,826,102).

Considering claim 1, the claimed method of dynamically generating a presentation

sequence from a plurality of presentation documents comprising the step of receiving the

plurality of authored presentation documents from a plurality of data sources is met by Escobar,

col. 2, lines 56-60 & col. 7, lines 27-61. The raw assets are received at the server 220 and may

be retrieved by the workstation 200.

Escobar discloses the claimed feature of applying the plurality of authored presentation

documents to a set of presentation rules, (Fig. 5E; col. 10, lines 18-50; col. 10, lines 66-67).

The claimed presentation rules is broad enough to read on the operator programming the time

when each object will be presented for display, which is the essence of Escobar, (Abstract; col. 4,

lines 11-16). The claimed step of generating the presentation sequence in response to the

applying step reads on Escobar, col. 11, lines 8-12 & col. 20, lines 34-45.

Considering claim 2, Fig. 5G meets the claimed applying and testing steps.

Considering claims 3-4, Escobar teaches that an operator generates the display sequence,

(col. 6, lines 35-38; col. 7, lines 22-38; col. 18,lines 4-14 & col. 18, lines 57-67). Since the

operator generates the display sequence, the instant operator is necessarily enabled to modify the

display sequence, i.e. presentation rules.

Considering claims 5-6, the claimed steps of generating the presentation sequence in

response to a sensed an external event, reads on the timeline set-up by the user with respect to

the IDL and EDL, (col. 4, lines 11-16; col. 10, lines 54-58).

Considering claim 9, see Escobar col. 6, lines 32-37 & col. 11, lines 38-67.

Considering claim 10, the claimed method for programmatic generation of continuous

multimedia presentations by a station capable of receiving at least one presentation and a

plurality of sensed events, comprising maintaining a library of rules reads on Escobar, (col

Abstract; col. 3, lines 44-45; col. 4, lines 10-28). The cited passages of Escobar discuss a

timeline for combining multimedia objects, which reads on the library of rules. The graphical

elements, video elements, audio elements and still images read on the claimed at least one

presentation, (col. 6, lines 57-62 & col. 7, lines 35-45). The event to be sensed reads on a

particular point in time on the timeline for merging objects.

The operation of Escobar (col. 4, lines 14-16; col. 4, lines 48-62; col.11, lines 5-45) reads

on the claimed steps of receiving at least one event, testing the rules in the library for each

received event, and optionally applying each rule to the at least one presentation for each

received event, in response to the testing step.

Considering claim 11-12, the claimed step of selecting one or more multimedia

components to be identified as Escobar meets an initial portion of the presentation, col. 11, lines

8-10. Since the presentation sequence is based on a timeline, inherently there is an initial

portion. Furthermore the selection of subsequent objects based upon the timeline reads on the

claimed step of programmatically selecting one or more multimedia components to be identified

as a subsequent portion following the initial portion, (col. 11, lines 37-55). The additionally

claimed steps of disposing the subsequent portion with or following the initial portion and

synchronizing the selected components are also included in the general operation of Escobar.

Considering claims 13-16, Escobar (col. 6, lines 57-62 & col. 7, lines 35-45) teaches that

the multimedia objects may at least include video, audio, still images, etc., which reads on the

claimed subject matter.

Considering claim 17, the claimed feature of the programmatically selecting step being

responsive input parameters, past presentation history or a current state reads on the current time

on the timeline.

Considering claims 19/1-19/6 & 19/9-19/17, Escobar discusses the software for carrying

out the presentation sequence editing and playback. Since the instructions are in software form,

they may at least be temporarily stored on a recording medium, (col. 6, lines 11-18; col. 7, lines

61-67; col. 8,lines 1-14).

Considering claim 20, the claimed programmatic generator into which presentation

documents are received comprising a rule base reads on the timeline, which defines when objects

will be presented for playback, as disclosed in Escobar, (col. 4, lines 10-25). The claimed

program state reads on the current time on the timeline. The claimed computation engine, which

receives rule data from the rule base and the state data from the program state and generates a

presentation sequence responsive to the presentation documents, rule data and state data is

consistent with the standard operation of Escobar, (Abstract; col. 6, lines 25-35; col. 11, lines 38-

67).

Considering claim 21, the claimed set top box is disclosed in Escobar, as DET 800,900

(col. 5, lines 1-14; col. 12, lines 24-35).

Considering claim 22, Escobar also discloses the TV set for receiving channels and

generating presentation sequences, (col. 18, lines 25-3 & col. 20, lines 28-31).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 7-8, 18, 19/7, 19/8 & 19/18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Escobar, in view of Fries, (U.S. Pat # 6,317,885).

Considering claims 7-8 & 18, Escobar does not explicitly discuss the feature of metadata.

However at the time the invention was made, the use of metadata as a supplement to video

programming the well-known in the art, and is taught by Fries, (Abstract; Fig. 9; Fig. 12; col. 4,

lines 10-30 & col. 10, lines 32-38).   Fries discloses that the metadata may include instructions

to modify the presentation of documents based upon certain events, (col. 11, lines 24-38; col. 11,

lines 51-60). It would have been obvious for one of ordinary skill in the art at the time the

invention was made, to modify Escobar with the well-known feature of using meta-data to

change a set of presentation rules, at least for the desirable benefit of efficiently updating the

desired presentation sequence of documents, as taught by Fries.

Considering claims 19/7, 19/8 & 19/18, Escobar discusses the software for carrying out

the presentation sequence editing and playback. Since the instructions are in software form, they

may at least be temporarily stored on a recording medium, (col. 6, lines 11-18; col. 7, lines 61-

67; col. 8,lines 1-14).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

claims

A)   Dougherty   Teaches a system wherein an application is presented to customers

based upon the series of instructions or script commands transmitted along with multimedia data,

(col. 20, lines 15-48; col. 21,lines 10-44).

B)   Throckmorton   Discloses a system wherein a range of secondary or supplemental

data is transmitted to a set top box, and displayed according to a prescribed fashion, (col. 4, lines

35-65; col. 6, lines 50-65; col. 8, lines 1-15).

C)   Weaver   Teaches the use of metadata, which provides enhanced services for

the user's presentation, (col. 5, lines 5-60).

Any response to this action should be mailed to:

>Commissioner of Patents and Trademarks
>Washington, D.C. 20231

>**or faxed to:**
>(703) 872-9314, (for formal communications intended for entry)
>**Or:**
>>(703) 872-9314 (for informal or draft communications, please label
>>"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brown M. Reuben whose telephone number is (703) 305-2399.

The examiner can normally be reached on M-F (8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone numbers for the

organization where this application or proceeding is assigned is (703) 872-9314 for regular

communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-4700.

Reuben M. Brown

ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600